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TO

Confirm certain Provisional Orders of the Local Government Board for Ireland relating to Waterford and Thurles.

A.D. 1890.
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WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto:

And whereas it is requisite that the said Orders should be confirmed by Parliament:

5 Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

10 1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force.

Orders in
schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Housing of Working Classes) (No. 2) Act 1899.

Short title.

A.D. 1899.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Waterford.

BOROUGH OF WATERFORD.

PROVISIONAL ORDER.

*Giving compulsory powers of purchasing lands and premises for the
purpose of Part III. of the Housing of the Working Classes
Act 1890 and for Sewerage Works.*

58 & 54 Vict.
c. 70.

WHEREAS Part III. of the Housing of the Working Classes Act 1890 has been adopted in the Borough of Waterford and the Mayor Aldermen and Burgesses of the said Borough (herein-after called the Corporation) being the urban sanitary authority of the said Borough have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to the lands and premises required for carrying into execution Part III. of the Housing of the Working Classes Act 1890 and for sewerage works :

58 & 54 Vict.
c. 70.

And whereas the Corporation have deposited at the office of the Local Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference) showing the lands and premises required for the purposes aforesaid :

And whereas all necessary advertisements and notices having been previously published served and given the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition and it appears to the Local Government Board to be proper to assent thereto with respect to part only of the said lands and premises :

61 & 62 Vict.
c. 37. s. 32 (1).

And whereas the said urban sanitary authority is now called the urban district council but the style and title of the said Corporation has not been altered :

It is ordered by the Local Government Board as follows :—

*Compulsory
powers of
purchasing
lands and other
premises.*

1. From and after the confirmation of this Order by Parliament the Corporation shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to the lands and premises described in the deposited plans and book of reference and

therein numbered 1 to 24 both inclusive and 145 to 148 both inclusive. A.D. 1899.

Waterford.

2. The Corporation shall not in the execution of this Order without the consent of the Local Government Board purchase or acquire ten or more houses which after the passing of the Act confirming this Order have been or on the fifteenth day of December last were occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers unless and until—

Providing with respect to houses occupied by the labouring classes.

(1.)—(a.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Board after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case and (b) they have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it is to be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed and fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced. Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may deem fit.

(4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modifications thereof or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Corporation acquire or appropriate any house for the purpose of this scheme in contravention of the foregoing provisions or displace or cause to be displaced persons residing in any house in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local

A.D. 1898.

Waterford.

Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce the said penalty.

- (6.) Subject to the provisions of the scheme the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this Order all or any of the powers vested in them under the Public Health (Ireland) Acts 1878 to 1896 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of those Acts. Provided that all lands on which any buildings are erected by the Corporation in pursuance of any scheme under this Order shall for a period of twenty-five years from the passing of the Act confirming this Order be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this provision. Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may deem fit.
- (7.) The Corporation shall if required by the Local Government Board pay to the said Board a sum to be fixed by the Board in respect of the preparation and issue of any Order made in pursuance of this section of this Order and of any expenses incurred by the Board in relation to any inquiries under this Order including the expenses of any witnesses summoned by the Inspector holding the inquiry and a sum to be fixed by the Local Government Board not exceeding three guineas a day for the services of such inspector.
- (8.) For the purposes of this Order the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

*Duration of
compulsory
powers.*

3. The compulsory powers of purchasing and taking lands given by this Order shall not be exercised after the expiration of three years from the confirmation thereof.

Costs of Order.

4. The costs charges and expenses of the Corporation and of the Local Government Board of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the Corporation

as part of their expenses under the Public Health (Ireland) Acts 1878 to 1896. A.D. 1899.
[Waterford.]

5. This Order may be cited as the Waterford Provisional Order 1899. Short title of Order.

Given under our hands and seal of office this sixteenth day of May in the year of our Lord one thousand eight hundred and ninety-nine.

(L.S.)

(Signed)

H. A. ROBINSON.
WM. L. MICKS.
T. J. STAFFORD.
R. BAGWELL.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

THURLES URBAN DISTRICT.

Thurles.

PROVISIONAL ORDER

Giving compulsory powers of purchasing lands and premises for the purposes of Part III. of the Housing of the Working Classes Act 1890.

WHEREAS Part III. of the Housing of the Working Classes Act 1890 was adopted in the urban sanitary district of Thurles and the sanitary authority of the said district presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying that they might be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to the lands and premises required for carrying into execution Part III. of the Housing of the Working Classes Act 1890:

And whereas the sanitary authority deposited at the offices of the Local Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference) showing the lands and premises required for the purposes aforesaid:

And whereas all necessary advertisements and notices having been previously published served and given the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition and it appears to the Local Government Board to be proper to assent thereto so far as it relates to part of the lands and premises therein mentioned:

And whereas the said sanitary authority is now called the Thurles Urban District Council:

A.D. 1899.

It is ordered by the Local Government Board as follows:—

Thurles.
Compulsory powers of purchasing lands and other premises.

1. From and after the confirmation of this Order by Parliament the urban district council shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to the lands and premises described in the deposited plans and book of reference and therein numbered respectively 4 5 6 and 7. 5

Provision with respect to houses occupied by persons of the labouring class.

2. The urban district council shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December last but which have been or will be subsequently so occupied: 10

For the purpose of this Order the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them. 15 20

Durates of compulsory powers.

3. The compulsory powers of purchasing and taking lands given by this Order shall not be exercised after the expiration of three years from the confirmation thereof.

Costs of Order.

4. The costs charges and expenses of the urban district council and of the Local Government Board of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the urban district council as part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896. 25

Short title of Order.

5. This Order may be cited as the Thurles Provisional Order 1899. 30

Given under our hands and seal of office this sixteenth day of May in the year of our Lord One thousand eight hundred and ninety-nine.

(L.S.)

(Signed)

H. A. ROBINSON.
WM. L. MICKS.
T. J. STAFFORD.
R. BAGWELL.

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